

**CITY OF TAKOMA PARK, MARYLAND
(MINUTES ADOPTED 2/28/05)**

**PRESENTATION, REGULAR MEETING, BUDGET WORKSESSION
& CLOSED SESSION
OF THE CITY COUNCIL**

Closed Session 5/20/04 - Moved by Elrich; seconded by Seamens. The Council voted unanimously to convene in Closed Session at 10:34 p.m. in the Municipal Building Conference Room to discuss personnel matters regarding the hiring of a new City Manager.(VOTING FOR: Porter, Barry, Elrich, Seamens, Williams; ABSENT: Austin-Lane, Mizeur). OFFICIALS PRESENT DURING SESSION: Porter, Barry, Elrich, Seamens, Williams; ABSENT: Austin-Lane, Mizeur. (1) The Council was briefed on an applicant for the City Manager position. No action was taken. (STAFF/OTHERS PRESENT: Public Works Director Lott), pursuant to Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i); (2) The Council discussed an employment offer for the new City Manager and decided on the general terms of the employment offer. The search consultant was instructed to proceed with the process. (STAFF/OTHERS PRESENT: Jim Mercer (by telephone)), pursuant to Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i).

Monday, May 24, 2004

OFFICIALS PRESENT

Mayor Porter	City Manager Finn
Councilmember Barry	Assistant City Clerk Carpenter
Councilmember Elrich	Police Chief Creamer
Councilmember Mizeur	Recreation Director Haiduven
Councilmember Seamens	
Councilmember Williams	

OFFICIALS ABSENT

Councilmember Austin-Lane

The Council convened at 7:33 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Mr. Seamens thanked Debra Haiduven for a great "Rock the Block" Ward Party. He thanked Chief Creamer for having Sgt. Butler come to the event.

Ms. Porter announced a meeting on May 26, hosted by Mayors participating in the Anti-Gang Task Force in Prince George's and Montgomery Counties. She noted that we do have gang activity in this area. We have an opportunity to take care of it before it becomes more serious. Schools, education community, police and elected officials are working to reduce/prevent gang activity.

Mr. Williams announced the Ward 3 Council walking meeting to be held on Sunday, June 6.

ADOPTION OF MINUTES

Adoption of minutes of November 10, 17, and 24, and December 21, 2003 was moved by Williams, second by Seamens. The motion carried unanimously. (Mr. Elrich was not yet present.)

PUBLIC COMMENTS

None.

PRESENTATION

1. Councilmember Williams' Update on the Community Center Project.

Mr. Williams provided a list of the progress meetings that have taken place so far, which shows how often these meetings occur. The report integrates the change orders. He noted that earlier material presented was lacking a few meetings. Those meetings are now taking place every Tuesday, beginning June 1. The City Manager and the Architect will be at every other meeting. Additional documents are available for Council review.

Mr. Seamens asked about the \$300,000 needed for the completion of the upstairs.

Mr. Williams said it would probably show up on the reports very soon.

Mr. Barry asked what progress would be seen in the next few weeks?

Mr. Williams replied that we've been cleaning up problem areas where they've been waiting. Pepco was out Friday dealing with the guy wires. A number of areas where work was begun, and stopped, they will now be able to move forward. The contractors will soon start to bring in a crane and steel.

2. Local Government Insurance Trust (LGIT) Presentation to Police Department.

(Mr. Elrich arrived at 7:43 p.m.)

John Burrell, from the Local Government Insurance Trust (LGIT), noted that the City has been a

member since 1987 – one of the early few who stepped up to the plate to join with LGIT. Training is a key part of the trust. This is meant to protect you from litigation. Our whole focus (178 entities in the State), is to focus on training. We provide insurance coverage. We also educate you to protect yourself. We created this grant program 5 years ago, \$200,000-250,000 in grants awarded since then. The competition is fierce.

He complimented the City for the Risk Management section in the budget. He said, LGIT entertains a lot of requests. This year Chief Creamer submitted the application for “Verbal Judo for Law Enforcement Officers.” LGIT receives many complaints which result from verbal confrontations. This training will provide for some of the officers to learn to obtain compliance and avoid confrontations. We like to see these efforts by local communities. The presentation will be \$1,060, to cover training for four officers.

3. 1st Reading Ordinance re: Budget Amendment No. 2

Mr. Finn noted that there will be a final budget amendment toward the end of the fiscal year. Generally these have been actions already taken by Council.

Moved by Williams; seconded by Elrich. No Council comments. No public comments.

Ordinance #2004-12 was accepted at first reading (VOTING FOR: Porter, Barry, Elrich, Mizeur, Seamens, Williams; ABSENT: Austin-Lane).

Ordinance #2004-12
(Attached)

4. CONSENT AGENDA

Moved by Elrich; seconded by Williams.

(A) Resolution effecting Appointments to Commission on Landlord-Tenant Affairs (COLTA)

Resolution #2004-19
(Attached)

(B) Resolution effecting Appointments to Facade Advisory Board

Resolution #2004-20
(Attached)

(C) Resolution effecting Appointments to Noise Control Board

Resolution #2004-21
(Attached)

(D) Resolution effecting Appointments to Personnel Appeal Board

Resolution #2004-22 (Attached)

The Consent Agenda was adopted unanimously (VOTING FOR: Porter, Barry, Elrich, Mizeur, Seamens, Williams; ABSENT: Austin-Lane).

BUDGET WORKSESSION

5. FY05 Proposed Budget - Police

Chief Creamer made a presentation on the department's budget. She noted that the funding sources were mostly self explanatory.

Police Management: Staff looked at different services, jobs that we perform, and figured out the full-time employees and operating costs. Police Management includes upper level managers, as opposed to front line supervising. The decreases are a result of retirements.

Administration: the decrease is due to the retirement of tenured police officers.

Supervision: the increase is due to changes.

Investigations: all are officers, the bulk of investigations are performed by investigators.

Evidence processing: there is a slight increase.

Property/evidence: refers to administrative services only – intake, management, storage, disposal. Personnel costs generally increase because of changes in salaries and benefits.

Records management.

Validations: are mandated by the State, such as wanted persons, missing persons, stolen autos, and victim services.

Police court/legal and training: includes the entire Police Department, includes the time associated with attending court, state-mandated training, and other training. There is a decrease in FTE. Increases will occur because of COP.

Patrol: decreased the FTEs from '04, due to the creation of the COP team.

Special events: no change in FTEs.

Parking enforcement and permits: includes the parking enforcement officer, patrol officer, and 1/4 time of the nuisance officer, and issuing of permits. Traffic enforcement includes only actual traffic stops. Not sitting around time in anticipation of stopping someone.

Calls for service is decreased due to COP team.

Crossing guards: shows no operating expense. However, there is a slight expense associated with crossing guards.

Police window and phone contact: walk-in and telephone answering and fingerprinting.

Chief Creamer provided a narrative on funding sources. \$1.1 million comes from the general fund. The \$1.1 million is part of the total \$4.4 million budget.

Mr. Finn said about 25% is paid for by our taxpayers through property tax.

Ms. Mizeur commented that there are bright spots in the budget such as the increased bike patrol hours. At the Ward 2 public safety meeting, many citizens are commenting on how happy they are to see officers on bikes. It is encouraging and a positive development. Again, these neighborhood enforcement efforts are very much valued. There are concerns about traffic enforcement. On Ethan Allen, I regularly hear concerns about that issue, such as cut-through traffic. I would like to see a greater focus on trying to deal with this problem. As to the cases assigned for investigator followup, I am disheartened to see the number drop. I frequently hear that although people are pleased with the quick response, they are not as satisfied with some of the followup. Some improvement could be made there. Attention to auto theft is needed.

Ms. Mizeur asked Mr. Finn if he could give Council further information on the status of the promised county/city information?

Mr. Finn said, due to the illness on staff, we have not been able to finish the work on that. We have done some research. We have the first half of the “white paper” completed. The second part is the numbers, and we’re still working on that.

Ms. Porter asked for clarification as to whether police traffic enforcement is a multiplier of the number of traffic tickets. Chief Creamer said we have soft numbers at this point. This is our best estimate. We have not done an exercise like this before. I’ve already instructed my staff to provide better/harder numbers next year.

Ms. Porter requested more focus on traffic enforcement.

Mr. Elrich asked how many officers are now on the force?

Chief Creamer replied that we now have 6 sworn vacancies. 20 people showed up for a test. 16 passed. A fair number are certified officers. We are actively involved in processing 4 certified candidates now. One has bilingual skills.

Mr. Elrich said he had raised the issue of using Montgomery County police officers part time. They have a regular program. I would be interested in not filling beyond the four potential, and look into the possibility of using the County officers part-time. Are there times when we don’t really need people for a whole shift? Could we supplement with smaller shifts by County officers? I don’t know what the County rate is. I would like us to explore that before we fill up the 41 slots.

Chief Creamer said the fee is fixed and it involves an MOU or a contract. A County car would be used in the City. I would consider what their commitment would be to the residents of Takoma Park. Will they be interested in community policing in Takoma Park, and in following up? I don’t know if it’s the same people who would come down each time.

Mr. Elrich asked that she look creatively at scheduling to see about getting the County officers at times least appealing to Takoma Park officers. If there's a possibility that it would give us flexibility and save some money, it might be worthwhile. I would like to explore it.

Mr. Seamens commented, I appreciate your focus on some of these key issues. From this side of the bench, we've gone for several years without a full police staff. There are several key areas (drug law enforcement, auto theft investigations) that lead to a desire to find cheaper or better service.

Mr. Finn said there was clear direction to increase recruitment and selection efforts. We are testing continuously. We are close to having 41 officers. If you are asking us not to fill the positions, it will affect the money we get back from the county.

Mr. Finn asked for clarification on Council's direction.

Ms. Porter said, we will continue to have turnover. People move on. I don't think looking into it will mean we will have to hold off on hiring. We can consider it after another position goes open.

Mr. Elrich said we talked about going to 42 to have an officer available to fill the vacancy. Or the County could work the undesirable shift. We are just asking you to look at it. It will not be worthwhile if we will lose money. Just give us the information so we can make a decision. Look at it as a way to make things work better.

Mr. Seamens asserted, we are under some budget pressures this year. If we can save some money this year, we should do that. We would like information within a week.

Mr. Williams said, I can see getting the information together and still continuing to recruit. We authorized recruiting even when we are at full strength.

Mr. Williams commented about his concerns about traffic, crime and related quality of life issues. Seeing officers in the neighborhood on bikes is a positive development. He complimented Victor 3 sector, noting that those officers are my example of how to interact with people at a meeting. I wish I saw that in some of the other sectors.

Mr. Williams asked about the status of the dog park petitions? Mr. Finn replied that the Forest Park petition has been certified.

Mr. Williams asked about animal control enforcement. Chief Creamer commented that there has been some delay in training the nuisance officer for animal control. The bulk of his time has been spent on parking enforcement issues. He is following up on abandoned autos. He has handled a couple of animal complaints. He's learning to interact with the Noise Control Board. He's feeling his way through this new position. I've heard positive feedback from John Urciolo about the parking enforcement.

Mr. Williams said, the complaints I hear is about parking in neighborhoods, and the limited options available. We may see some additional requests for permit parking areas.

Mr. Williams asked about the evacuation of the lower level due to the flooding and its affect on certification.

Chief Creamer replied that the floods that we experienced set us back a bit. We have until 2005 in order to have our real on-site capacity. We should have a mock inspection by December 04, and then have the on-site in Spring of 05. Corrections have been made with regard to the flooding issues. Personnel were housed in trailers and it displaced all our on-site records. We couldn't go through a mock on-site evaluation. It made sense to push the mock to the end of this year. We now have an approved records retention schedule. As we were bringing stuff back from storage, we were able to shred items we didn't need.

Mr. Williams asked about the cause of that flooding. Chief Creamer said it was a buildup of snow drainage with a backup into the building that involved sewage. All of the furniture was lost.

Mr. Seamens asked about the balance in the salary and benefits account due to the vacant positions. Mr. Finn replied that he would provide the information. Overtime may be authorized in these situations. This is calculated in the carryover that is in the budget.

Mr. Seamens commented on the lack of a complete, approved FY04 budget document. He noted he had requested an update on the account discrepancies in the special revenue funds budget. He also said he would like to see the financial tables on the web.

Mr. Seamens said he appreciates seeing the officers on the street. Thanks for the COP work, and the efforts of Officer Conrad with respect to removing the shoes on power lines and the graffiti. The neighborhood has noticed and does appreciate the work.

Mr. Seamens continued, on parking enforcement, the number of FTEs stays identical this year and next. What will improve parking enforcement?

Chief Creamer said the FTE's should have been increased a bit in 2005 because of the increase in parking enforcement. We put 25% of the nuisance officer's time in. I think we should have increased that somewhat in 2005.

Mr. Seamens said he looked forward to future discussions about performance measures.

Mr. Barry expressed the importance of traffic enforcement in Ward 6. Citizens have been very concerned. I would also support examination of ways to out-source where it is reasonable and doesn't diminish the quality. I would like to get together with the County Council as soon as possible, to discuss the rebate. I would also like to see a community survey done to ask citizens what they really want done with their tax dollars.

Mr. Barry suggested a number of areas for performance measures, including quality of life complaints such as drinking in public and open containers which has a correlation in the multi-jurisdictional area. Another issue would be littering. With the nuisance abatement officer, perhaps that can be attended to more. Another one would be a category for the nuisance abatement officer, for the things that he does. Another performance measure might be hours spent on radar enforcement, and what tickets are issued. What type of discretion is exercised when issuing tickets?

Chief Creamer responded, the officer should have already made up his/her mind as the stop is made. The officer has to determine what will induce improved behavior. On one hand, the officer should interact well with the community. On the other hand, the officer should act for strict traffic enforcement. If I were to remove discretion, I would have to enforce a zero tolerance policy. I would not want to remove the discretion. It is important to emphasize that this is high on the list of resident concerns. That helps the officer to make their final decision. I am reluctant to say officers must will write everything they see.

Mr. Barry asked, how do we account for the savings in personnel in the department?

Mr. Finn we do so through the carryover. We can put information together and provide it to you. We can use it to help balance the budget.

Mr. Barry asked, what happens when we have all slots filled, and a shortfall?

Mr. Finn said we can draw on an unallocated reserve. We are trying to build that fund back up. We have used a large carryover this year. We'll show you how we arrived at that. Up until the past year, we were spending less money than we were bringing in.

Ms. Porter commented that there has been a history of being conservative in budgeting. We have been conservative in the revenue estimates, and have tended to have a carryover. I don't know if we should be trying to build up the carryover. We should try to keep revenues and expenditures as accurate as we can.

BREAK

The Council recessed for a scheduled break at 9:08 p.m. and reconvened the budget worksession at 9:23 p.m.

FY05 Proposed Budget - Recreation

Recreation Director Debra Haiduven made the presentation. The presentation tonight does not include the new community center. The numbers for FY04 and FY05 FTEs do not include the new community center. The total budget, \$1,049,394, does include the community center. The other increase is only a quarter of a percent.

Mr. Elrich asked how the fees generated compares with the previous year. Ms. Haiduven responded that we don't have this year's information yet.

Mr. Barry asked, how confident are we in the County reimbursement? Ms. Haiduven replied that it does not appear to be in jeopardy.

Mr. Finn explained that the New Hampshire Avenue building is owned by Park and Planning. The County gives us \$100,000 to operate the center. The County wants us to break even. They are not willing to allow the City to make a profit at the recreation center. The water and sewer charges that we will now have to pay will make a difference. We'll try to get them to increase their payment to cover that.

Ms. Haiduven said she was not yet sure about revenues for the Community Center because it is unclear which rooms will be operating during FY05.

Ms. Haiduven continued with her presentation. Administration personnel includes a director, an assistant, one manager, and an administrative assistant. There is a slight decrease because of a decrease in fringe benefits.

Outreach is the area with the least revenue, with three subsidized, low cost programs. This money was shifted to the new Community Center. Our outreach will continue in the new Community Center.

She noted that under the Community Programs category, we did some shifting for accounting and staff purposes. Under Facilities/Fields, we hire a part time person to staff the building in off hours. With the new facility, there will be less of an expenditure to rent public school space. We will still need to rent gym space for our summer programs.

In response to a question from Mr. Elrich, Ms. Haiduven said that because of the MOU, we have the best field at the middle school. We get the ability to schedule the field. We pay for it.

Ms. Haiduven clarified the increase in staff. There will be a new counselor-in-training program. We have eliminated the camp at Spring Park. Our camps will be held at Takoma Park Elementary School this year. We seem to have to move to a new location every year.

We continue to improve the after-school program at Piney Branch Elementary School. Staffing costs are hard to judge because of shifting enrollment. We would like to see more kids involved

in this program. We have been playing with the fees.

Ms. Porter commented that with respect to the presentation, it is clear that you expect that the new building will result in some savings. It is important to remember this when you are talking about the staffing of the new center. Will you do a net or gross presentation? If you are not comfortable with the net, it is still valuable to note the savings.

Ms. Haiduven said, it will be easier to do it when we are projecting for a full year with the Community Center open.

Mr. Williams commented on the sampling of enrollments broken down by ward. I never would have guessed that Wards 4, 5, 6 were only 25% of enrollment.

Ms. Haiduven said she thinks there is more participation from Ward 6 than it appears. We've been working to increase participation. City-wide, all of my colleagues struggle with how to reach all the wards. Keep in mind that these are the after-school feed programs, as opposed to outreach programs.

Mr. Elrich spoke about particular problems in reaching his ward. The center is just too far away.

Ms. Haiduven said she feels like there has been improvement. This gives us an idea of who we need to target. We would like to get the recreation van back in the CIP budget. It is discouraging for us and for the kids to lack the needed transportation. We need more resources.

Mr. Elrich asked about transportation. Can Rolling Terrace Elementary students be dropped off at Piney Branch? Ms. Haiduven said she would check on that.

Mr. Barry asked if Ms. Haiduven has done a survey. Would it be useful? Ms. Haiduven confirmed it was done, at the Rock the Block parties. Only half of the wards seem to use the recreation center. Location is a big deal. Crossing New Hampshire Avenue is an issue for Ward 6 in attending the recreation center. We have been talking with people.

Mr. Barry suggested, perhaps we could promote "bring a friend" to a program, for a discount. What about working with the Ride On, to get a pass to ride it. Mr. Finn/Mr. Elrich both confirmed that students can ride for free.

Mr. Barry said he would like to work to increase participation.

Mr. Elrich asked that staff check the hours of the free Ride-On bus so that more children could get to the recreation center.

In response to a question from Mr. Seamens, Ms. Haiduven confirmed that they are reviewing the success of the Rock the Block parties. We learned a lot from the first to the third event. We are hoping to summarize the surveys and put the suggestions into action.

Mr. Seamens noted that the increased police presence at the events was positive.

Ms. Haiduven will return Thursday for the community center discussion.

ADJOURNMENT/CLOSED SESSION

The Council adjourned at 10:01 p.m. and immediately convened in Closed Session. Following the closed session the Council adjourned for the evening.

Closed Session 5/24/04 - Moved by Seamens; seconded by Elrich. The Council voted to convene in Closed Session at 10:01 p.m. in the Municipal Building Conference Room (VOTING FOR: Porter, Barry, Elrich, Mizeur, Seamens, Williams; ABSENT: Austin-Lane). OFFICIALS PRESENT: Porter, Barry, Elrich, Mizeur, Seamens, Williams. The Council discussed and agreed on a proposed compensation package to be offered to the new City Manager. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i).)
